Regd. No. M. 1175.

The Mysore Gazette

PUBLISHED BY AUTHORITY

Vol. 81] BANGALORE, THURSDAY, NOVEMBER 14, 1946 [No. 45

PART IV

Legislative Measures and Rules thereunder

NOTIFICATIONS.

No. L. 5674—Ml.—133—46-8, dated Bangalore, the 9th November 1946.

In exercise of the powers vested in them under Section 106 (j) of the Mysore Minor Municipalities Act, 1933, the Government of His Highness the Maharaja are pleased to direct that the slaughter of sheep and goats of the following categories be prohibited in the Minor Municipalities in the State :—

(1) Ewes below two and half years, when they possess six permanent incisors, all in wear ;

(2) Female goats below two years, when they possess four permanent incisors, all in wear ;

(3) Male goats and sheep (castrated or entire) below one and half years when they possess two permanent incisors and the sixth permanent molars are also erupted.

J. B. MALLARADHYA, *Rev. Secy.*

No. S. R. 1795—P. & T. 31-45-8, dated Bangalore, the 7th November 1946.

Under section 13 (2) (iii) of the Mysore Wireless Telegraphy Act, IV of 1937, the Government of His Highness the Maharaja of Mysore are pleased to revise the Form VII for the grant of a Dealers License under the above said Act and the rules thereunder, as shown in the annexure.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

FORM VII.

Register No. .....

Act for Regulation of Wireless Telegraphy in Mysore,
(Act IV of 1937)

License (Dealer)

License (Dealer) to possess Wireless Telegraphy Apparatus in Mysore State.

Mr. .....
(Name in full)

of .....
(Address in full)

being a dealer in or manufacturer of Wireless Telegraphy Apparatus is hereby licensed (subject in full respects to the provision of the Act and Rules thereunder) to possess Wireless Telegraphy Apparatus and to keep the apparatus at .....
.....for a period of twelve months ending on the last day of the month.....194 .

The payment of the license fee of Rs. 10 is hereby acknowledged.

Director of Industries and Commerce.

Dated.....day of..... .....194 .

Issued on behalf of the Government of His Highness the Maharaja of Mysore.

This license does not permit the licensed apparatus to be established, maintained or worked in the Mysore State for which a separate licanse is necessary under the rules

Extracts from Mysore Wireless Telegraphy Rules, 1938.

"Complete Wireless Set" means any apparatus which is capable in itself of transmitting or receiving wireless signals with or without the addition of ærials, valves, power supply telephones, loud speakers or equivalent devices.

10. The licensing authority may cancel any license issued under these rules to any person who has been convicted of a breach of these rules or of an offence punishable under sections 7, 8 or 9 of the Act.

13. (*a*) Every person licensed under these rules shall keep the wireless telegraphy apparatus possessed by him at the premises specified in that behalf in the license.

(*b*) A license issued under the rules for possession of wireless telegraphy apparatus shall ordinarily authorise the licensee to keep wireless telegraphy apparatus in one building only, provided that the licensing authority may, at his dicretion, permit the licensee to keep the apparatus in two or more buildings.

(c) The licensing authority may, during the currency of a license, alter the specification of the premises specified therein on receipt of a written application from the licensee together with the license for amendment.

14. Every dealer shall maintain a register of wireless telegraphy apparatus and shall cause to be entered therein :—

(a) The details of all such apparatus in his possession together with the dates on which the apparatus came into his possession and the sources from which he obtained it ;

(b) The name and address of every person to whom he sells or otherwise transfers wireless telegraphy apparatus together with the date and particulars of such apparatus ;

(c) In the case of complete wireless sets, the details, save where proviso to rule 15 is applicable, of the license specified in that rule.

15. Every dealer shall require every person purchasing or acquiring a complete wireless set to produce a valid license issued in such person's name either under these rules to establish, maintain and work a wireless receiving station, or a fixed non-commercial station, or to possess wireless telegraphy apparatus.

Provided that this rule shall not apply—

(a) When the person purchasing or acquiring a complete wireless set is not resident in Mysore State and is purchasing or acquiring the set for use outside Mysore State ;

(b) Up to and including 1st October 1938 when the person purchasing or acquiring a complete wireless set is a dealer who declares that he has applied to the licensing authority for a license to possess wireless telegraphy apparatus and has not received the license.

16. (a) The licensing authority may, by order in writing, appoint Inspectors and Inspecting Officers under these rules.

(b) Such Inspector or Inspecting Officer may inspect any wireless telegraphy apparatus in possession of any person who is licensed or exempted under these rules.

(c) On demand from such Inspector or Inspecting Officer every person licensed under these rules shall produce his license for inspection and such person shall, to the best of his knowledge and if so required by an Inpsector or Inspecting Officer, give particulars regarding the name and address of any person to whom he may have transferred or from whom he may have received any wireless telegraphy apparatus.

(d) On demand from such Inspector or Inspecting Officer, every dealer shall produce the register required under rule 14 of these rules and permit the Inspector or Inspecting Officer to make extracts therefrom.

19. Any breach of the rules other than a breach which is an offence punishable under sections 7, 8 or 9 of the Act shall be punishable with fine which may extend to one hundred rupees.

No. S. D. 3643—C. 72-45-16, dated Bangalore, the 9th November 1946.

In exercise of the powers conferred on them by Rule 81(2) of the Defence of India Rules, as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946 and in supersession of Government Notification No. SD. 3928—C. 66-44-24, dated the 10th January 1945, the Government of His Highness the Maharaja of Mysore are pleased to make the following order and to direct with reference to sub-rule (1) of Rule 119 of Defence of India Rules that notice of this order shall be given by publication of the same in the Official Gazette and by issue of a Press Note summarising and explaining its provisions.

Jaggery Control Order, 1946.

1. (*a*) This order may be called the Jaggery Control Order, 1946.

(*b*) It extends to the whole of Mysore.

(*c*) It shall come into force at once.

2. In this order:—

(*a*) "Controller" means the person appointed as the Jaggery Controller and includes the person authorised by the said Controller to exercise all or any of the powers under this Order.

(*b*) "Producer" means a person carrying on the business of manufacturing jaggery by open air, boiling of sugarcane juice.

(*c*) "Grower" means a holder of land on which there is a standing crop of sugarcane.

(*d*) "Dealer" means a person, firm or institution engaged in the purchase, sale, stocking for sale, or distribution of jaggery exceeding 12 local maunds or 2 bags of jaggery.

(*e*) "Licensing authority" means the Deputy Commissioner of the District or any other officer authorised by the Controller.

(*f*) "Jaggery" means articles commonly known as Gur, Gul, Jaggery, Jaggery powder, Palmyra jaggery, Shakkar and Rab and includes raw sugar as also uncrystallised sugar in any other form comprising of original and convertible molasses and other impurities, inherent or foreign, prepared by boiling cane or Palmyra juice.

(*g*) "Controlled rate" shall mean the price for jaggery notified from time to time, either by the Government or the Jaggery Controller for the several places in the State.

3. On or after 1st December 1946 no person shall carry on business as a Dealer in Jaggery in Mysore State except under and in accordance with a License issued by the Licensing authority.

4. Applications for Licenses shall be made in Form I.

5. Licenses issued under these Rules shall be in Form II.

6. No jaggery shall be exported from the Mysore State, except under permits granted by the Controller.

7. If in the opinion of the Controller, the unregulated production of jaggery in any area is likely to affect adversely the production of sugar in quantity which in his opinion is required for the needs of the community, he may, by order notified in the Official Gazette, provide for all or any of the following matters :—

(*a*) Prohibit or restrict the export of sugarcane to any place outside that area ;

(*b*) Direct that cane growers in that area shall deliver sugarcane to a specified sugar factory in accordance with such conditions in regard to quantity, price, and time of delivery as may be specified by the Controller ;

(*c*) Prohibit or restrict to such quantities or qualities or both as may be specified by the order, the manufacture of jaggery by all or any class of producers in the said areas.

8. The controller shall determine the quantities of jaggery expected to be produced and the quantities required for consumption, in various areas, and the quantities which may be moved to deficit districts within the State, or for export outside the State, and shall have power to authorise movements up to such quantities.

9. Allotments from surplus areas in a District to meet the requirements of the deficit areas in the same district will be made by the Deputy Commissioners concerned from time to time and they will issue permits for the movement of such jaggery up to the allotment, to dealers having business within his District.

10. Notwithstanding anything contained in the preceding paras, no transport of jaggery shall be made by

road or rail except with the written permission of the Controller or of an Officer duly empowered by him in this behalf :

Provided that nothing in this sub-clause shall apply to the transport of jaggery not exceeding three local maunds as part of the personal luggage of a *bona fide* traveller.

11. When a standing crop of sugarcane is ready to be harvested, the grower, unless he himself produces jaggery, shall not cut any sugarcane from the field unless he is permitted by the Deputy Commissioner of the district or any other officer authorised by him in this behalf to sell the same to a producer of jaggery.

12. The producer shall not purchase any sugarcane from a grower who has not been duly authorised under the preceding clause, and he shall report to the Deputy Commissioner of the district or an Officer authorised by him in this behalf the quantity of jaggery produced by him from time to time out of the sugarcane purchased from growers. The provision about furnishing information regarding the quantity of jaggery produced will apply to the grower also when he is a producer.

13. Every grower, producer, and dealer shall comply with such other directions as may from time to time be issued by a general or specific order, in furtherance of the provisions of this order by the Controller.

14. (*a*) The controller may from time to time notify the price or the maximum price at which jaggery may be sold and different prices may be so fixed by him for different areas or for different types or grades of jaggery.

(*b*) No person shall sell or purchase or agree to sell or purchase jaggery at a price higher than that fixed under the provisions of sub-clause (*a*).

15. If any person contravenes the provisions of this order, then without prejudice to any punishment to which he may be liable, any court trying the offence may order that any stocks of jaggery, together with the packages and covering thereof, in respect of which the Court is satisfied that the offence has been committed shall be forfeited to the Government of His Highness.

16. The Controller may, by general or special order, prohibit, or limit to such quantities as may be specified in the order, the manufacture by any producer or by producers generally, of jaggery or of such types of jaggery, as

the order may specify and no producer to whom such order applies shall manufacture any jaggery in contravention thereof.

K. SRINIVASAN, *Secy, Food Supplies.*

FORM I.

FORM OF APPLICATION FOR LICENSE UNDER THE JAGGERY CONTROL ORDER, 1946.

1. Applicant's name and address.	
2. Applicant's place of business.	
3. How long the applicant has been trading in Jaggery?	
4. Quantities of Jaggery handled annually during the past three years.	

I declare that a quantity of..... .....maunds of Jaggery is in my possession this day.....1946 and is held at the place noted against it.

I have carefully read the conditions of License given in Form II and I agree to abide by them.

Signature of Applicant.

Place.....

District.....

Date.....

FORM II.

No... .....

License for Purchase, Sale or Storage for Sale of Jaggery.

Subject to the provisions of the Jaggery Control Order, 1946 and the Rules issued thereunder and to the terms and conditions of this License,.....is/are hereby authorised to purchase, sell, or store for sale of Jaggery.

2. The Licensee shall carry on the aforesaid business at the following place :—

.....

.....

3. The Licensee shall maintain a register of daily accounts showing correctly therein:—

(*a*) the opening stock on each day,

(*b*) the quantities of stock received on each day, showing the place of origin,

(*c*) the quantities delivered or otherwise removed on each day showing the places of destination,

(*d*) the closing stock on each day.

4. The Licensee shall prominently display at the place of his business, a correct list written in the language of the locality, of the price of Jaggery.

5. The Licensee shall give all facilities at all reasonable times to any authorised Officers of Government for the inspection of his Stocks and Accounts at any Shop, Godown, or other place used by him for the stock or sale of Jaggery.

6. The Licensee shall comply with any directions that may be given to him by the Jaggery Controller or any Officer authorised by him in regard to the purchase, sale or storage for sale or distribution of Jaggery.

7. Contravention of any of the conditions of the License will render the License liable to cancellation or suspension, without prejudice to any other action which may be taken against such Licensee.

.....

Place.....

District..... Signature of the Officer

Date..... issuing the License.

No. C. 1767—C. O. 19-46-2, dated Bangalore, the 11th November 1946.

In exercise of the powers conferred by rules 81 (2) and 116 (1) of the Defence of India Rules, as applied to Mysore, and continued by the Supplies Services Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946, the Government of His Highness the Maharaja are pleased to make the following order, and to direct, with reference to rule 119 (1) of the said rules that notice of this order shall be given by publication of the same in the official Gazette and by the issue of a Press Note summarising and explaining its provisions :—

1. (1) This Order may be called the Mysore Handloom Cloth (Price Control) Order, 1946.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this order, unless there is anything repugnant in the subject or context :

(1) "Cloth" means cotton cloth woven on handloom ;

(2) "Controller" means the Controller of Civil Supplies in Mysore, Bangalore, or any other officer duly authorised by him in this behalf under clause 16.

(3) "Dealer" means a person other than a producer who sells or stores for sale cloth, whether on his own account or as a commission agent, whether wholesale or retail, and whether or not in conjunction with any other business and includes a hawker;

Explanation.—"Hawker" means a person who goes from place to place or from house to house carrying or exposing cloth for sale or exposing samples of cloth to be afterwards delivered.

(4) "Producer" in relation to cloth means the person who has woven the cloth himself or with the assistance of members of his family or has had the cloth woven by weavers engaged by him ;

(5) "Producer's price" in relation to cloth means the cost of the producer of producing cloth *plus* 15 per cent thereof ;

(6) "Voucher" in relation to cloth bought by a dealer means—

(*i*) if the seller was the producer of the cloth, the document referred to in clause 8, that is, the cash receipt or credit note issued by the seller, as the case may be, or the purchase slip prepared by the dealer ;

(*ii*) if the seller was a dealer, the cash receipt or credit note, referred to in clause 10.

3. A producer shall not sell cloth to a wholesale dealer at a price which exceeds the producer's price, to a retail dealer at a price which exceeds the producer's price by more than 4 per cent, and to a customer at a price which exceeds the producer's price by more than 14 per cent.

4. A wholesale dealer shall not sell cloth to another wholesale dealer but shall sell only to a retail dealer; the selling price shall not exceed the producer's price by more than 4 per cent.

5. No retail dealer shall sell cloth to a consumer at a price which exceeds the producer's price by more than 14 per cent.

6. (1) In their application to cloth of any of the kinds specified below, clauses 3 and 5 shall be construed as if for the expression "14 per cent" occurring therein, the expression "19 per cent" were substituted :—

(1) Tapestries,
(2) Cretonnes,
(3) Brocades,
(4) Fancy Curtainings,
(5) Heavy Jacquards.

(2) The Controller may, from time to time, by notification in the *Mysore Gazette*, direct that the provisions of sub-clause (1) shall apply to any other kind of cloth specified by him in such notification, if he is satisfied that the enforcement of the provisions of clauses 3 to 5 in respect of such cloth will cause hardship to the producer or dealer as the case may be.

7. No dealer or producer shall charge, whether on account of transport charges or on any other account whatsoever, any price for the sale of cloth in excess of the rates specified in clauses 3 to 6:

Provided that, if the dealer has paid any octroi in respect of any cloth imported by him, he may charge in addition, the actual amount of octroi paid by him.

8. (1) Every literate producer shall, in respect of every cloth sold by him, give a cash receipt or credit note, as the case may be, signed by him and containing the following particulars.—

(*a*) His coupon number or numbers of the yarn ration card held by him and members of his family, or if he is not a weaver, of the yarn ration card or cards of weavers working under him their names and addresses.

(*b*) License number and name and address of the buyer (if he is a dealer), unless he is a consumer, in which case the consumer's cloth coupon will be entered.
(*c*) Date of sale.
(*d*) Precise description of the cloth sold.
(*e*) Dimensions of the cloth.
(*f*) Quantity sold.
(*g*) Amount charged.

(2) If the producer is illiterate, the person who has bought the cloth from him shall prepare immediately after the purchase, a purchase slip in the following form and sign it :—

Voucher No.

Purchase Slip.

Name and address of the producer and the number or numbers of the yarn ration card held by him and members of the producer's family, or if he is not a weaver, of the yarn ration card or cards of the weavers working under him.

Date of purchase	Precise description of the cloth	Dimensions of the cloth	Quantity purchased	Price paid
1	2	3	4	5

Signature of the Purchaser.

9. (1) Every dealer shall maintain a voucher relating to every cloth purchased by him and shall present it for inspection on demand by any Inspecting Officer of the Civil Supplies Department.

(2) Every dealer who sells cloth shall keep a duplicate of the cash receipt or credit note, as the case may be issued to every customer.

(3) Every literate producer who is not a licensee under the Cotton Textile Control Order, 1945, shall keep a duplicate of the cash receipt or credit note, issued by him as provided in clause 8 (1) of the Order.

(4) Every illiterate producer who is not a licensee under the Cotton Textile Control Order, 1945, shall obtain from the buyer and maintain a duplicate of the purchase slip referred to in clause 8 (2).

(5) Every dealer or producer shall number the vouchers in chronological order, in separate series for each calendar month.

10. Every dealer shall, in respect of every cloth sold by him, give a cash receipt or credit note, as the case may be, signed by him and containing the following particulars :—

(*a*) His license number, name and address.

(*b*) License number and name and address of the buyer (if he is a dealer).

(*c*) Date of sale.

(*d*) Precise description of the cloth.

(*e*) Dimensions of the cloth.

(*f*) Producer's price.

(*g*) Percentage of margin charged by the seller over and above the producer's price.

(*h*) Price charged, *i. e.*, rate per yard, piece, or other unit.

(*i*) Quantity sold.

(*j*) Amount charged *i.e.*, total value of the cloth sold.

11. A single voucher may cover all the cloth purchased on the same day from any single producer or dealer.

12. (1) No dealer shall sell, or deliver or store for sale any cloth sold or delivered by a producer on and after the 1st December 1946, unless markings as illustrated below have been made in suitable colours on the cloth to be sold by him :

L. No.
P. P.
R. P.

V.
15.....April
1946

Note :—"L No." means the number of the dealer's license.

"V 15.....April 1946" denotes the fact that voucher No. 15 of.....April1946 testifies to the purchase of cloth.

"P. P." means the actual price paid for the cloth to the producer.

"R. P." means the producer's price of the cloth *plus* 14 per cent thereof.

(2) The markings prescribed in sub-clause (1) shall be made by every dealer who handles the cloth in the course of his business.

13. In respect of stocks of cloth remaining unsold with dealers at the close of business on the 30th November 1946, the following directions shall apply:—

(1) No dealer shall sell or deliver or store for sale any such cloth, unless markings as illustrated below have been made in ink on a paper of suitable size pasted to the cloth.

(i) if the dealer is a wholesale dealer,

L. No.
P. P.
S. P.

Note:—"L. No." means the number of the dealer's license.
"P.P." denotes the actual price paid for the cloth to the producer or the price at which the cloth was purchased.
"S. P." denotes the dealer's selling price.

(ii) If the dealer is a retail dealer,

L. No,
B. P.
R. P.

Note:—"L. No." means the number of dealer's license.
"B. P." denotes the actual price at which the dealer has purchased the cloth.
"R. P." means his selling price to consumers.

(2) A wholesale dealer shall not charge a selling price exceeding his purchase price by more than 4 per cent.

(3) If the seller is a retail dealer, his selling price shall not exceed his purchase price by more than 10 per cent.

14. In respect of sales by persons to whom export quotas have been sanctioned for the export of cloth to any area outside the State, the selling price shall not exceed the producer's price by more than 4 cent.

15. Any cloth in respect of which any of the provisions of this order has been contravened shall be liable to be forfeited to Government and such forfeiture may be ordered by the Controller of Civil Supplies.

16. The Controller may authorise any officer to exercise all or any of his powers under this order.

No. C. 1791—Co. 1-46-28, dated Bangalore, the 11th November 1946.

In the schedule appended to Notification No. C. 377—Co. 1-45-164, dated the 27th July 1946 on page 332 in part IV of the *Mysore Gazette*, dated 1st August 1946, for the figures Rs. 9-0-0 appearing in column 3 against Serial No. 7, *read* 9-9-0.

No. C. 1793—Co. 37-45-33, dated Bangalore, the 11th November 1946.

CORRIGENDUM.

In sub-clause (*e*) of clause 4 of the Brass and Copper (Control) Order 1945 as amended by Notification No. C. 1184—Co. 2747-45-27, dated 13th September 1946 the words "manufactured at Moradabad" shall be omitted.

No. C. 1795—C.O. 20-46-2, dated Bangalore, the 11th November 1946.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946, the Government of His Highness the Maharaja are pleased to direct that an application for the grant of a license under the Mysore Silk (Control of Distribution) Order 1945, has been made and refused under Clause 13 of the said order, the applicant may apply to the Controller of Civil Supplies, in writing for the refund of the fee under Clause 14 of the said order in respect of such application and that notwithstanding the cancellation of the said order, he shall thereupon be entitled to a refund of the said fee.

They are further pleased to direct with reference to Sub-rule (1) of Rule 119 of the said rules that notice of this order shall be given by the publication in the official gazette.

K. SRINIVASAN, *Secy., Food and Civil Supplies.*

No. Fl. 3 17—I. T. 9-46-5, dated Bangalore, the 12th November 1946.

In exercise of the powers conferred by Section 59 of the Mysore Income-tax Act 1923 (V of 1923), the Government of His Highness the Maharaja are pleased to direct that the time limit prescribed in Notification No. Fl. 1434—I. T. 9-46-2, dated 20th August 1946, published in the Mysore Government Gazette dated 22nd August 1946 calling for objections or suggestions from the public in respect of draft amendments to Rule 8 of the Mysore Income-tax Rules be extended up to 8th December 1946 in respect of the following item only, namely :—

"III Machinery and Plant (2) special rates to be applied to the whole of the machinery and plant used in the following concerns :—

J (i) Mines".

Objections or suggestions not received on or before 8th December 1946, will not be considered.

S. KANAKARATNARAJ, *Law Secy.*

Printed by the Superintendent at the Government Press, Bangalore.